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TAGS: [PGOV](#) [PHUM](#) [KJUS](#) [KWMN](#) [SOCI](#) [IZ](#)
SUBJECT: MINISTER OF HUMAN RIGHTS TAKES ISSUE WITH AMNESTY
REPORT ON EXECUTIONS

REF: BAGHDAD 1172

Classified By: Political Counselor Yuri Kim for Reason 1.4 (d).

Summary

11. (C) A July 23 report from Amnesty International that nine Iraqi women face imminent execution appears to be exaggerated, according to the Minister of Human Rights Wijdan Selim. While Minister Selim confirmed that three Iraqi women have already been executed in 2009, she told us July 30 that none of the 12 women currently on death row, including the nine named in the AI report, has a death warrant signed by the Presidency Council. More broadly, Selim informed us that all 92 Iraqis put to death in 2009 have been Shias. She also noted that her ministry is pursuing credible cases of torture of current death row inmates. In general, the GOI has been extremely reluctant to discuss the issue of capital punishment publicly for fear of drawing the ire of the international community. End summary.

Executions by the Numbers

12. (C) In response to a July 23 report from Amnesty International that nine Iraqi women face imminent execution, Deputy Political Counselor met with the Minister of Human Rights Wijdan Selim on July 30 to discuss the status of capital punishment in Iraq. According to the Minister, the GOI has executed 92 persons since the resumption of capital punishment on May 3, 2009 (reftel). She confirmed that three women were among the 92 persons executed and that two of the women were executed on July 21. (Note: There were no executions in 2008, and 30 in 2007. End note.) Of the 92 executed in 2009, six had received the death sentence for terrorism, the rest for criminal offenses. The Minister also said that 925 Iraqis are currently on death row, including 12 women, of whom 32 (no women among them) have had death warrants signed by the Presidency Council.

Sectarian Bias

13. (C) Minister Selim also highlighted the sectarian bias with respect to how capital punishment is being enforced in Iraq. She stated that all 92 Iraqis who had been executed in 2009 were Shias, attributing this fact to Sunni Vice President Tareq al-Hashimi's refusal to sign the death warrants for Sunnis. Given that President Jalal Talabani publicly opposes the death penalty and has delegated the authority to sign death warrants to the two vice presidents, this meant that only Vice President Adel Abdel Mahdi (a Shia) will sign death warrants. Selim said some officials within the GOI were beginning to take note of this apparent sectarian bias. The Minister also noted that no death sentences had been handed down in Anbar Province, which she

thought was very strange since it was one of the more unstable provinces and, according to Selim, had high levels of crime.

Tortured Confessions?

¶4. (C) When Poloff asked how the GOI would respond to the allegations of forced confessions and torture in the Amnesty International report, Selim responded that the Ministry of Human Rights interviews every prisoner on death row and reports any allegations of torture to the prosecuting judge to determine if the allegations could have adversely affected the case. She said that the Ministry had confirmed the use of torture in at least 20 different cases (none involving women) and had sent these reports to Chief Justice Medhat for review. With respect to the women named in AI's report, Minister Selim stated that the women did not make the torture allegations when they were first brought to prison (ostensibly because they were too afraid). She pointed out that Ministry of Human Rights teams visit the prisons on a weekly basis and expressed frustration that the women had not come forward sooner as now too much time had passed to make physical confirmation of torture possible. The Minister said that she had requested the Ministry of Justice to physically examine and ask every prisoner transferred to their custody whether they had been tortured in order to prevent delayed allegations that could not be confirmed, but that the Ministry of Justice had refused this request.

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Fear of International Condemnation

¶5. (C) Since the resumption of capital punishment in Iraq, the GOI has been extremely reluctant to discuss the issue publicly or with foreign governments, to include USG officials. On July 30, Shatha al-Obosi, the Deputy Chair of the Human Rights Committee in Parliament, told Poloff that the Minister of Justice had told her privately that the GOI cannot publicly announce executions because European countries would only denounce them. (Note: In June 2009, the European Union issued a statement condemning the resumption of capital punishment in Iraq. End note.)

Comment

¶6. (C) The Ministry of Human Rights appears to be taking an active role in investigating allegations of torture by death row inmates. At the same time, the GOI's unwillingness to discuss its capital punishment system publicly could give rise to criticism from international NGOs and foreign governments. On the other hand, if the figures Selim provided us accurate, public disclosure could lead to charges of sectarian bias. End comment.

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